

Introduction

New Jersey Local Records Manual: Intention and Scope

The purpose of this manual is to introduce local officials to the methods available for controlling public records entrusted to their care. These pages can provide the tools needed to solve record-keeping problems, increase efficiency and safety, preserve historical records, and save money.

The manual presents information in logical order, with appropriate procedures outlined for ease of application. The text is cross-referenced. Appended materials include forms, statutory citations, administrative guidelines and a general schedule for county and municipal agencies.

This publication does not suggest that all of the programs described should be implemented immediately or in their entirety, or in precisely the way indicated herein. The Division of Archives and Records Management recognizes that some local governments have their own in-house records management expertise, and that these professionals are responsible for ethically and legally upholding the law concerning public records.

Provided that mandated standards and legal requirements have been met, local agencies and authorities should always use procedures that are relevant to their organizational culture and techniques that are appropriate to their individual circumstances, especially administrative size. Costs and benefits, budgetary levels, and the value of records should always be considered.

By using appropriate techniques faithfully, local government will realize demonstrable benefits. While still fulfilling public responsibilities, they will avoid the cost of unnecessary space, equipment, supplies and labor for record-keeping operations.

Officials are encouraged to contact the Division of Archives and Records Management for clarification, additional detail, and to comment upon the usefulness of the manual. Because it is designed to be readily updated and revised, reports from officials who use the manual are not only sincerely welcome, but essential.

Address questions or comments to: New Jersey Department of State, Division of Archives and Records Management, 2300 Stuyvesant Avenue, CN 307, Trenton, New Jersey, 08625, or call: (609) 530-3200.

Records Management in New Jersey

A Brief History

Concern for the safekeeping of New Jersey's public records traces its beginnings back to 1765, when an act was passed to construct a building in each of New Jersey's capital's, Burlington and Perth Amboy, to protect the records of the Secretary of State's Office. In 1795, these repositories

were consolidated into a single building in Trenton.

Twentieth century concern for safekeeping of public records began in earnest with the creation of the Public Records Office in 1920. Most of the current functions of the central control of public records started there. By 1924 it was necessary for state, county and municipal agencies to obtain written permission for records destruction from the Public Records Office.

The Destruction of Public Records Act, 1953, created the State Records Committee. The State Records Committee consisted of representatives of the State Attorney General, the State Auditor, State Treasurer, Director of Local Government Services in the Department of Community Affairs, and the Head of the Bureau of Archives and History in the Department of Education. This body was mandated as the final authority involving public records.

In 1983 the Division of Archives and Records Management was created within the Department of State as part of a reorganization of state government. The division, as successor to the Bureau of Archives and History, now is the principal records management advisor to state, county and municipal governments. It is the administrative arm of the State Records Committee.

The Division of Archives and Records Management, Department of State, is composed of three bureaus: The Bureau of Archives and Records Preservation, the Bureau of Records Management, and the Bureau of Micrographics and Alternative Records Storage.

Current Practice

The Division of Archives and Records Management, Department of State, has four distinct areas of responsibility:

Records and Forms Analysis

1. Assists local agencies and authorities in conducting records inventories,
2. Appraises records of state, county and municipal governments, and schedules the records for retention, transfer and disposition through the auspices of the State Records Committee,
3. Offers advice in records management, files management, office automation, vital records programs, and disaster prevention,
4. Participates in records disaster recovery efforts through records identification,
5. Provides advice about forms analysis and design, and
6. Processes records disposal requests for records which have outlived their usefulness.

The Records and Forms Analysis Section of the Bureau of Records Management is located at the New Jersey State Records Center, 2300 Stuyvesant Avenue, Trenton. There is no charge for consultations. (see sections II, VI and IX)

Records Storage

1. Provides centralized storage of semi-active records for state agencies and authorities.
2. Provides records retrieval services for authorized state officials, and
3. Advises all public sector agencies about semi-active records storage options.

The Bureau of Records Management is located at 2300 Stuyvesant Avenue, Trenton, where it administers the New Jersey Records Storage Center (RSC), a low-cost storage facility with the capacity of keeping 250,000 cubic feet of semi-current paper and computer records from state government agencies and authorities. Consultations are provided at no cost to all public sector agencies. (see section III)

Archives

1. Appraises records for statewide historical significance and for permanent retention in the State Archives.
2. Accessions historical records — i.e. arranges for transfer of ownership from originating agencies,
3. Preserves historical records through conservation and restoration,
4. Arranges and describes historically valuable records,
5. Participates in records disaster recovery efforts, and
6. Assists all public sector agencies and authorities in identifying and caring for permanent records.

The Bureau of Archives and Records Preservation is located in the State Library Building at 185 West State Street, in the State Capital Complex, Trenton. The bureau operates the New Jersey State Archives, the official repository for all colonial and state government records of enduring historical value. Such records are maintained and are available to the public through exhibits or as reference material. The State Archives also produces a variety of printed and microfilm publications and sells microfilm copies of a large number of historical documents and manuscripts.

The bureau also provides reference services at the Archives Search Room, open to the public Mondays through Fridays, from 8:30 - 4:30, and on Saturdays from 9:00 - 5:00, and through the mail. Consultations are provided to public agencies at no cost. (see section IV)

Microfilm Services

1. Provides systems consultations and assists in estimating cost for microfilming projects to public sector agencies,
2. Conducts selected microfilming projects for state, county and municipal agencies on a charge-back basis,

3. Assists state, county and municipal governments in micrographics management, and
4. Monitors compliance with statewide microfilm standards for the public sector.

The Bureau of Micrographics and Alternative Records Storage is located the New Jersey Records Center, 2300 Stuyvesant Avenue, Trenton. The Central Microfilm Unit is considered to be one of the most advanced microfilm operations in the United States. Consultations are provided at no cost. (see section V).

Public Records

A record is created whenever information that is evidence of the activities of an organization is generated or received. This is true regardless of the medium, i.e., paper, microfilm, magnetic tape, floppy disks, etc., and includes duplicates or copies.

The term “public” can have two basic meanings:

1. **Ownership** — A record is public when it is evidence of activities of an operating unit of government or an agent of government which receives a substantial contribution of tax dollars to conduct its activities.

A record is private when it is evidence of activities of an organization that does not receive any substantial contribution of tax dollars to conduct those activities.
2. **Access** — Agencies may allow unrestricted access to records because of right-to-know considerations. Such records are often called “public.” Under other circumstances, an agency may restrict access to records because of considerations of privacy, confidentiality or security.

The degree of a record’s accessibility is not a factor in determining whether a record is publicly or privately owned. For instance, classified military records concerning the national defense are public records with a high degree of confidentiality, and consequently are not freely accessible.

The status of a record is best determined by considering its ownership, not its accessibility. For the purposes of this manual, whenever the term public record is used, it shall signify ownership.

The Importance of Local government Records: A Public Trust

Local public records are evidence of taxes paid, services rendered and obligations met. These records are crucial to the organization of our society and are valuable to the daily operation of local government. Additionally, the value of some records endures beyond their active use because they provide unique evidence of significant actions and transactions that have affected the public.

The records of local government are public property and are held in trust for citizens. Public officials

must ensure that records are protected from unauthorized alteration, defacement, transfer or destruction. This is accomplished through compliance with statewide legal procedures mandated by the Destruction of Public Records Act as interpreted by the State Records Committee and administered by the Division of Archives and Records Management.

In addition to its mandated functions, the division assists local agencies and authorities in assessing current information management needs and in anticipating future concerns.

Generally, through the use of sound management practices, local agencies and authorities can develop economical strategies for fulfilling their public trust.

Records Management Coordinators & Liaisons

Some counties enjoy in-house records and forms management expertise. These in-house information management specialists are generally highly knowledgeable in both the statewide statutory requirements and guidelines administered by the Division of Archives and Records Management, as well as any relevant policies and procedures governing records management within their organizations. Often, these professionals are responsible for a local government's semicurrent records storage facility and its image-processing staff.

It is important to note that in-house information managers and division analysts work very closely to ensure that the public interest is safeguarded. Moreover, the New Jersey County Archives and Records Management Association (CARMA), a professional association of county records managers, allows a continuous information exchange and helps develop unified strategies to advance interests in local record-keeping matters.

In many situations where a local government enjoys in-house expertise, some of the processes described in this manual may be performed by such professionals. In those instances where an organization does not enjoy in-house expertise, or in which record-keeping is decentralized or "liaison duty" with the division is given as an ancillary role to officials with other responsibilities, the processes described in this manual will correspond much more closely.

In any case, the information provided by this manual will explain techniques, offer insights and list laws, regulations and guidelines that will help improve record-keeping efficiency and safety.